

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

UNITED STATES OF AMERICA )  
v. ) CIVIL ACTION NO. 3:07cv46-WHA  
DAVID FRANKLIN COTNEY, JR. ) (WO)

## ORDER

On November 21, 2008, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED that the Recommendation be and is hereby ADOPTED and the 28 U.S.C. § 2255 motion filed by Jenkins be and is hereby DENIED.

DONE this 12th day of December, 2008.

/s/ W. Harold Albritton  
W. HAROLD ALBRITTON  
SENIOR UNITED STATES DISTRICT JUDGE